

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
COLUMBIA DIVISION

John William Machin,

Plaintiff,

vs.

Fetter & Son Farms, LLC; Terry J. Weiser;
Carus Corporation; and The Andersons;

Defendants.

C/A No. 3:12-cv-2675-JFA

ORDER

This matter comes before the court on numerous pending motions filed by multiple parties. At a hearing on October 7, 2014, the Court took under advisement the following motions:

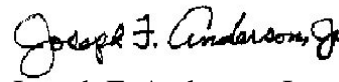
- ECF No. 98, *Motion to Exclude Plaintiff's Expert David Dorrity* filed by The Andersons;
- ECF No. 134, *Motion to Exclude or Limit Testimony of PL Expert David Dorrity* filed by Carus Corporation; and
- ECF No. 135, *Motion in Limine to Exclude Certain Materials Produced In Alleged Supplementation of Expert Disclosures of Michael Klein, P.E. & David Dorrity* filed by Carus Corporation.

After considering the briefs filed in these motions and/or oral argument, the court hereby GRANTS ECF No. 98, and GRANTS ECF No. 134, thereby excluding David Dorrity as an expert. The court hereby DENIES ECF No. 135. Further, the court notes that ECF No. 135 is now moot as to any supplemental materials relied on by David Dorrity.

Additionally, at a hearing on November 4, 2014, the court took under advisement ECF No. 149, Plaintiff's *Motion in Limine to Exclude Argument that Totalox is Not Harmful or Comprised of 99% Water*. A court, in its discretion, may defer deciding a motion in limine until the evidence is offered at trial. Therefore, the court hereby defers to trial any ruling on the issues raised in Plaintiff's *Motion in Limine to Exclude Argument that Totalox is Not Harmful or Comprised of 99% Water*.

IT IS SO ORDERED.

November 6, 2014
Columbia, South Carolina


Joseph F. Anderson, Jr.
United States District Judge